

The Honorable James L. Robart

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

NATIONAL UNION FIRE INSURANCE  
COMPANY OF PITTSBURGH, PA, a New  
York company,

No. 2:19-cv-01587-JLR

**Plaintiff,**

PARTIES' JOINT MOTION TO EXTEND  
CASE SCHEDULE

EXPEDITORS INTERNATIONAL OCEAN,  
INC., a Washington corporation,

**Defendant.**

## **Note for Motion: September 24, 2020**

COME NOW the parties, and hereby stipulate and jointly move the Court, pursuant to LCR 16(b)(6), to extend the trial date from April 5, 2021 to a date no sooner than November 1, 2021, or as soon thereafter as the Court may conveniently schedule trial, and to extend all pre-trial case schedule deadlines (Dkt 10) accordingly.

This case's facts and circumstances are addressed in defendant's pending motion for partial summary judgment regarding limitation of liability filed July 30, 2020 (Dkt 12), and plaintiff's response thereto. Briefly, it involves a shipment of ocean cargo from Malaysia to Japan which plaintiff alleges was damaged in transit. Plaintiff is the shipper's subrogee, and seeks recovery from defendant of insurance proceeds it paid the shipper.

PARTIES' JOINT MOTION TO EXTEND CASE  
SCHEDULE - 1  
Case No. 2:19-cv-01587-JLR

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The Court's decision on the pending motion may either terminate the case, or require discovery as to liability and damages.

Discovery in this matter would be costly and difficult in light of the pandemic, and the location of all fact witnesses and evidence overseas. The parties have reasonably prosecuted the case in the current environment, which culminated in defendant's pending motion. The parties wish to avoid potentially unnecessary costs, which would be extensive, as well as inconvenience to party and non-party witnesses, by deferring discovery until after the Court has ruled on defendant's motion.

The Court may extend the case scheduling dates for good cause. LCR 16(b)(6). The parties submit that good cause exists to extend the trial and associated case dates for the reasons stated above. The parties respectfully request that the Court enter a new case schedule with the following dates, or on dates as soon thereafter as is convenient to the Court:

**BENCH TRIAL DATE** November 1, 2021 (Length of Trial 2 days)

## Disclosure of expert testimony under FRCP 26(a)(2)

November 1, 2021 (Length of Trial 2 days)

## Disclosure of expert testimony under FRCP 26(a)(2)

March 8, 2021

Discovery completed by

May 7, 2021

Agreed pretrial order due  
Deposition designations

October 11 7

submitted to the court per LCR 3

Pretrial conference to be held on  
March 22, 2021

October \_\_\_, 2021

## Trial briefs and proposed findings of fact and conclusions of law by.

October 25, 2021

PARTIES' JOINT MOTION TO EXTEND CASE  
SCHEDULE - 2  
Case No. 2:19-cv-01587-JLR

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1 DATED this 24th day of September, 2020.  
2  
3

*s/ Steven W. Block*

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9 *s/ Vi Jean Reno*

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PARTIES' JOINT MOTION TO EXTEND CASE  
SCHEDULE - 3  
Case No. 2:19-cv-01587-JLR

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## ORDER

The parties having so stipulated, and the Court finding good cause for entry hereof,

NOW, THEREFORE, IT IS HEREBY ORDERED that the case schedule be reset in

accordance with the above listed dates, the parties' stipulated motion is GRANTED. The

court shall issue a new case schedule.

Dated this 28th day of September, 2020.

  
The Honorable James L. Robart  
United States District Court Judge

## **Presented by**

s/ Steven W. Block

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## PARTIES' JOINT MOTION TO EXTEND CASE

## **SCHEDULE - 4**

Case No. 2:19-cv-01587-JLR